

FOURTH DAY

(Tuesday, January 20, 1981)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Blake, Brooks, Brown, Caperton, Doggett, Farabee, Glasgow, Harris, Howard, Jones, Kothmann, Leedom, Meier, Mengden, Ogg, Parker, Richards, Santiesteban, Sarpalius, Short, Snelson, Traeger, Travis, Truan, Vale, Williams, Wilson.

Absent-excused: Andujar, Mauzy, McKnight.

A quorum was announced present.

The Reverend Dr. Gerald Mann, Senate Chaplain, offered the invocation as follows:

Our Father, for the families of the hostages who still wait, for the family of Price Daniel, Jr., and for our nation's new first family, we ask a special portion of Your grace. Amen.

On motion of Senator Brooks and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

LEAVES OF ABSENCE

Senator Andujar was granted leave of absence for today on account of illness on motion of Senator Meier.

Senator McKnight was granted leave of absence for today on account of important business on motion of Senator Harris.

Senator Mauzy was granted leave of absence for today on account of important business on motion of Senator Doggett.

CO-AUTHOR OF SENATE BILL 150

On motion of Senator Traeger and by unanimous consent, Senator Blake will be shown as Co-author of S.B. 150.

SENATE BILLS AND RESOLUTION ON FIRST READING

The following bills and resolution were introduced, read first time and referred to the Committee indicated:

S.B. 193 by Farabee State Affairs
Relating to information contained in the Texas Register and the Texas Administrative Code and to confidentiality of the data base.

S.B. 194 by Farabee Finance
Relating to the additional inheritance tax, the federal tax credit and the inclusion of the value of property transferred within a certain period before a person's death in the gross estate for inheritance tax purposes.

- | | |
|---|-----------------------------|
| S.B. 195 by Farabee | Jurisprudence |
| Relating to suits against the state based on written contracts. | |
| S.B. 196 by Farabee | Finance |
| Relating to tax refunds paid, credited, or recovered by the comptroller. | |
| S.B. 197 by Glasgow | State Affairs |
| Relating to the rate base for certain water and sewer utilities. | |
| S.B. 198 by Vale | Finance |
| Amending Chapter 642, Acts of the 66th Legislature, Regular Session, 1979 (Article 4447u, Vernon's Texas Civil Statutes); relating to the appropriation of certain fees to the Texas Department of Health for the administration of that Act. | |
| S.B. 199 by Vale | State Affairs |
| Relating to an appeal from an order of the Texas Alcoholic Beverage Commission or its administrator refusing, cancelling, or suspending a private club registration permit; amending Section 32.18, Alcoholic Beverage Code. | |
| S.B. 200 by Vale | Human Resources |
| Relating to coordination of public health entities; to public health officers; and to state assistance to local health departments. | |
| S.B. 201 by Short | Intergovernmental Relations |
| Relating to compensation of members of the board of directors of the Canadian River Municipal Water Authority. | |
| S.B. 202 by Jones | State Affairs |
| Relating to intergovernmental efficiency and coordination in grant and contract management. | |
| S.B. 203 by Jones, Blake | State Affairs |
| Relating to the method by which candidates for offices of the federal, state, and county governments are nominated and elected. | |
| S.B. 204 by Wilson | Jurisprudence |
| Relating to the amount that a parent may be liable for the conduct of a child. | |
| S.B. 205 by Harris, Mauzy | Intergovernmental Relations |
| Relating to the participation by cities and unincorporated areas in a regional transportation authority in metropolitan areas; and declaring an emergency. | |
| S.B. 206 by Ogg | Education |
| Relating to the establishment of the position of master teacher in public schools. | |
| S.B. 207 by Ogg | Education |
| Relating to a summer school pilot program for students who fail to meet certain achievement levels. | |
| S.B. 208 by Travis | Education |
| Relating to the curriculum in public schools. | |
| S.B. 209 by Snelson, Kothmann, Short, Doggett | Finance |

Relating to an increase in benefits for certain annuitants of the Teacher Retirement System of Texas. (Submitted by Governor as an emergency)

S.B. 210 by Traeger Economic Development
Relating to the maximum rate of interest on extensions of credit to nonresident aliens and foreign corporations.

S.R. 98 by Jones Administration
Providing for the Intent Calendar, Regular Session, 67th Legislature.

SENATE RULE 103 SUSPENDED

On motion of Senator Jones and by unanimous consent, Senate Rule 103 was suspended in order that the Committee on Finance might consider the following today:

S.B. 98
S.B. 99

SENATE CONCURRENT RESOLUTION 16

Senator Doggett offered the following resolution:

S.C.R. 16, In memory of The Honorable Obie Jones, former Member, Texas House of Representatives.

The resolution was read.

On motion of Senator Doggett and by unanimous consent, the resolution was considered immediately and was adopted by a rising vote of the Senate.

SENATE CONCURRENT RESOLUTION 17

Senator Doggett offered the following resolution:

S.C.R. 17, In memory of Dr. DeWitt C. Reddick.

The resolution was read.

On motion of Senator Doggett and by unanimous consent, the resolution was considered immediately and was adopted by a rising vote of the Senate.

SENATE RESOLUTION 132

Senator Richards offered the following resolution:

S.R. 132, Commending William Blackburn Royer, Jr., of Houston, on his courage while being held captive in Iran and extending a heartfelt welcome home.

The resolution was read and was adopted.

MEMORIAL RESOLUTIONS

S.R. 99 - By Doggett: Memorial resolution for Gloria Akroosh.

- S.R. 100 - By Doggett: Memorial resolution for Marlin B. Barrow.
- S.R. 102 - By Doggett: Memorial resolution for Robert I. Bray.
- S.R. 104 - By Doggett: Memorial resolution for Mrs. R. E. (Lida) Brown, Jr.
- S.R. 105 - By Doggett: Memorial resolution for Lt. Colonel Harold E. (Caddy) Cadwallader.
- S.R. 106 - By Doggett: Memorial resolution for Louise Adams Caldwell.
- S.R. 107 - By Doggett: Memorial resolution for Irby B. Carruth.
- S.R. 108 - By Doggett: Memorial resolution for Dr. Robert C. Cotner.
- S.R. 109 - By Doggett: Memorial resolution for Dr. David DeCamp.
- S.R. 110 - By Doggett: Memorial resolution for Virgie Carrington DeWitty.
- S.R. 112 - By Doggett: Memorial resolution for Leon Green.
- S.R. 113 - By Doggett: Memorial resolution for Dr. Archie N. Jones.
- S.R. 114 - By Doggett: Memorial resolution for Dr. John R. Koos.
- S.R. 116 - By Doggett: Memorial resolution for Lieutenant Colonel Robert C. McAnelly.
- S.R. 117 - By Doggett: Memorial resolution for Chief Robert A. (Bob) Miles.
- S.R. 118 - By Doggett: Memorial resolution for John H. Nash.
- S.R. 121 - By Doggett: Memorial resolution for Clarence E. Saegert.
- S.R. 123 - By Doggett: Memorial resolution for Robert C. Wilkes.
- S.R. 124 - By Doggett: Memorial resolution for J. V. "Pinky" Wilson.
- S.R. 125 - By Doggett: Memorial resolution for Edward Lafayette Young.
- S.R. 126 - By Doggett: Memorial resolution for Joseph M. (Father Joe) Znotas.
- S.R. 128 - By Farabee: Memorial resolution for Dr. Barry D. Powers.
- S.R. 129 - By Farabee: Memorial resolution for Henry S. Grace.
- S.R. 130 - By Farabee: Memorial resolution for Lance Sears.
- S.R. 131 - By Farabee: Memorial resolution for Miss Willic May Kell.

WELCOME AND CONGRATULATORY RESOLUTIONS

S.R. 101 - By Doggett: Extending congratulations to Wayne Barton.

S.R. 103 - By Doggett: Extending congratulations to Dr. Marlin L. Brockette.

S.R. 111 - By Doggett: Extending congratulations to Dean Gorham.

S.R. 115 - By Doggett: Extending congratulations to Delwood Northeast Optimist All-Stars.

S.R. 119 - By Doggett: Extending congratulations to Eugene Nelson.

S.R. 120 - By Doggett: Extending congratulations to Dr. Lorene Rogers.

S.R. 122 - By Doggett: Extending congratulations to Ben Teague.

S.R. 127 - By Wilson: Extending appreciation to Dr. Thomas Mueller.

S.R. 133 - By Williams: Extending congratulations to Jeanette Frank.

ADJOURNMENT

On motion of Senator Brooks the Senate at 10:38 o'clock a.m. adjourned until 10:30 a.m. tomorrow.

In Memory

of

Dr. James E. Peavy

Senator Doggett offered the following resolution:

(Senate Concurrent Resolution 15)

WHEREAS, As government concerns itself more with the public's health, men of medicine must be found who are also capable administrators, and the State of Texas has lost one of these unique individuals with the death of Dr. James E. Peavy, former commissioner of health and director of the Texas Department of Health, who died January 11, 1980, at the age of 68; and

WHEREAS, Born January 21, 1911, Dr. Peavy, a native of Lufkin, received his premedical degree from Baylor University in 1930, and then choosing one of man's most humane and honored professions, he received his medical degree from Baylor College of Medicine in 1935; in 1955, this esteemed Texan added one more prestigious degree to his collection by receiving a master's degree in public health from Harvard School of Public Health; and

WHEREAS, Except for his service in the Army Medical Corps in the South Pacific during World War II, this outstanding doctor worked actively in the various public health areas since 1939 when he began his career as a local health department director in Sweetwater; in 1947, he became a medical field consultant with the State Department of Health, and in 1955, he took the position of director of the division of communicable diseases before he assumed the important post of commissioner of health in 1959, a post that he held until his retirement in 1975; and

WHEREAS, A profound influence in his field, Dr. Peavy served in a multitude of professional organizations and committees: he was an advisor on the U.S. Delegation to the Twenty-Second World Health Assembly in Boston; in 1965 he served on the executive committee of the Association of State and Territorial Health Officers (ASTHO); in 1966 he was elected president of the American Association of Public Health Physicians; and in 1968, he became president of ASTHO. This respected doctor also served capably as a member of both the Travis County and Texas State Medical Associations, the American Public Health Association, the West Austin Rotary Club, the Governor's Committee on Aging, the Governor's Committee on Tuberculosis, the Committee on Infectious Diseases of the Association of State and Territorial Health Officers, the Advisory Committee of State Officials to the Atomic Energy Commission, and the Texas Association for Retarded Children; and

WHEREAS, Under Dr. Peavy's inspiring leadership, the department of health grew from a handful of activities budgeted at \$5 million per year to an array of some 33 divisions and more than 60 programs supported by \$100 million; this able administrator also extended basic public health services from 59 to 254 counties with the introduction of regional public health programs and initiated one of the best immunization programs in the country; and

WHEREAS, An elder at the Wilshire Presbyterian Church in Austin, Dr. Peavy was a fine example of a well-rounded and concerned individual contributing significantly to the improvement of society through his tireless efforts to better the public's health; now, therefore, be it

RESOLVED by the Senate of the State of Texas, the House of Representatives concurring, That the 67th Legislature hereby pay tribute to the life of Dr. James E. Peavy and offer sympathy to the members of his family: to

his wife, Frieda Marie Peavy, of Austin; to his daughters, Diane Williams and Janet Wall of Austin; to his brother, Tom W. Peavy of Lufkin; to his sister, Kathryn Faris of Tyler; and to his six grandchildren; and, be it further

RESOLVED, That copies of this resolution be prepared for members of the family and that when the Legislature of the State of Texas adjourns this day it do so in memory of Dr. James E. Peavy, former Texas commissioner of health.

The resolution was read.

On motion of Senator Brooks and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Doggett and by unanimous consent, the resolution was considered immediately and was adopted by a rising vote of the Senate.